

PAUL R. WATKINS (1899-1973)
DANA LATHAM (1898-1974)

CHICAGO OFFICE

SEARS TOWER, SUITE 5800
CHICAGO, ILLINOIS 60608
TELEPHONE (312) 878-7700
FAX (312) 993-9767

LONDON OFFICE

ONE ANGEL COURT
LONDON EC2R 7HJ ENGLAND
TELEPHONE + 44-171-374 4444
FAX + 44-171-374 4460

LOS ANGELES OFFICE

633 WEST FIFTH STREET, SUITE 4000
LOS ANGELES, CALIFORNIA 90071-2007
TELEPHONE (213) 485-1234
FAX (213) 691-8763

MOSCOW OFFICE

113/1 LENINSKY PROSPECT, SUITE C200
MOSCOW, RUSSIA 117198
TELEPHONE + 7-503 956-5555
FAX + 7-503 956-5558

LATHAM & WATKINS

ATTORNEYS AT LAW

1001 PENNSYLVANIA AVE., N.W.

SUITE 1300

WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 637-2200

FAX (202) 637-2201

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NEW JERSEY OFFICE

ONE NEWARK CENTER
NEWARK, NEW JERSEY 07101-3174
TELEPHONE (201) 639-1234
FAX (201) 639-7298

NEW YORK OFFICE

885 THIRD AVENUE, SUITE 1000
NEW YORK, NEW YORK 10022-4802
TELEPHONE (212) 906-1200
FAX (212) 751-4864

ORANGE COUNTY OFFICE

650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CALIFORNIA 92626-1925
TELEPHONE (714) 540-1235
FAX (714) 755-8290

SAN DIEGO OFFICE

701 'B' STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8197
TELEPHONE (619) 236-1234
FAX (619) 696-7419

SAN FRANCISCO OFFICE

505 MONTGOMERY STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94111-2562
TELEPHONE (415) 391-0600
FAX (415) 395-8095

March 2, 1999

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MAR 2 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Magalie Roman Salis
Secretary
Federal Communications Commission
1919 M Street, N.W., Suite 222
Washington, D.C. 20554

Re: Petition For Rulemaking to Amend Digital Television Table of Allotments with
respect to NTSC Channel 5 at Calumet, Michigan

Dear Ms. Salis:

Enclosed for filing please find an original and four copies of a PETITION FOR
RULEMAKING related to the above-referenced Digital Television Channel allotment for NTSC
Channel 5, Calumet, Michigan licensed to Scanlan Television, Inc.

Should you have any questions regarding the enclosed, please feel free to call the
undersigned.

Sincerely,



Marsha Y. Reeves
of LATHAM & WATKINS

Enclosure

cc: Clay Pendarvis (by hand)
DC_DOCS\196004.1

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ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of:

Amendment of Section 73.622
Digital Television
Table of Allotments
(Calumet, Michigan)

)
)
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)
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MM Docket No.
RM-

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MAR 2 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

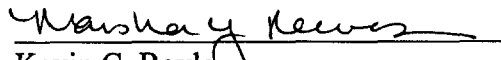
PETITION FOR RULE MAKING

Scanlan Television, Inc. ("Scanlan"), licensee of Station WBKP-TV, Channel 5, Calumet, Michigan, hereby petitions to amend the Digital Television Table of Allotments, Section 73.622 of the Commission's Rules, to change the channel allotted to Calumet, Michigan from Channel 18 to Channel 39. Scanlan will prosecute an application for a construction permit to construct a Digital Television facility on Channel 39 to provide service to Calumet, a copy of which is attached hereto, and if such application is granted, intends to construct the proposed facility.

As set forth in the attached Form 301 and the engineering statement attached thereto, Scanlan proposes to locate the transmitting antenna for the proposed station more than 5 kilometers from the DTV allotment reference coordinates of the DTV allotment set forth in Appendix B of the Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order in MM Docket 87-268, FCC 98-24 adopted February 17, 1998; however, as required by Section 73.622 of the Commission's Rules and as shown in the attached engineering statement, the proposed channel and location comply with the provisions of Section 73.623 of the Commission's Rules.

Accordingly, Scanlan respectfully requests that the Commission issue and Notice of Proposed Rulemaking proposing to change the channel allotted to Calumet, Michigan from Channel 18 to Channel 39 at the location contained in the proposed Form 301 attached hereto.

Respectfully Submitted,


Kevin C. Boyle

Marsha Y. Reeves

Latham & Watkins

1001 Pennsylvania Avenue, N.W.

Suite 1300

Washington, D.C. 20004

Counsel for Scanlan Television, Inc.

March 2, 1999

ATTACHMENT

FOR
FCC
USE
ONLY

014560-0003 ENG.

FCC 301

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION

FOR COMMISSION USE ONLY
FILE NO.

Section I - GENERAL INFORMATION

1. APPLICANT NAME (Last, First, Middle Initial)										
Scanlan Television, Inc.										
MAILING ADDRESS (Line 1) (Maximum 35 characters)										
1122 Calumet Avenue, #5										
MAILING ADDRESS (Line 2) (Maximum 35 characters)										
CITY		STATE OR COUNTRY (if foreign address)	ZIP CODE							
Calumet		MI	49913							
TELEPHONE NUMBER (include area code)	CALL LETTERS	OTHER FCC IDENTIFIER (IF APPLICABLE)								
(906) 337-9990	WBKP-TV									
2. A. Is a fee submitted with this application? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No										
B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1113) and go to Question 3.										
<input type="checkbox"/> Governmental Entity <input type="checkbox"/> Noncommercial educational licensee <input type="checkbox"/> Other (Please explain):										
C. If Yes, provide the following information:										
Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).										
(A)	(B)	(C)								
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY							
(1) <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>M</td><td>P</td><td>T</td></tr></table>	M	P	T	<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td>0</td><td>0</td><td>0</td><td>1</td></tr></table>	0	0	0	1	\$ 725.00	
M	P	T								
0	0	0	1							
To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.										
(A)	(B)	(C)								
<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td></td><td></td><td></td></tr></table>				<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td></td><td></td><td></td><td></td></tr></table>					\$	FOR FCC USE ONLY
ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.										
		TOTAL AMOUNT REMITTED WITH THIS APPLICATION	FOR FCC USE ONLY							
		\$ 725.00								

Section I - GENERAL INFORMATION (Page 2)

3. This application is for: (check one box)

☐ AM

☐ FM

☒ TV

(b) Channel No. or Frequency

Ch. 39

(b) Principal
Community

City

State

Calumet

MI

(c) Check one of the following boxes:

☐ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: _____

☐ MINOR change in licensed facilities; call sign: _____

☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit; call sign: _____

☒ MINOR modification of construction permit; call sign: (modification of DTV allotment facilities specified for
WBKP-TV in 6th DTV Report & Order) _____

File No. of construction permit; call sign: _____ BPCT-950412KF

☐ AMENDMENT to pending application: Application File Number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application?

☐ Yes

☒ No

If Yes, state:

Call letters

Community of License

City

State

SECTION V-D - DTV BROADCAST ENGINEERING DATA	FOR COMMISSION USE ONLY File No. _____ SSB Referral Date _____ Referred By _____
Name of Applicant Scanlan Television, Inc.	Call Letters (if issued) WBKP (TV)

Complete Questions 1-5 of the Certification Checklist and provide all data and information for the proposed facility, as requested in Items 1-22, below. If an item is not applicable, enter N/A.

Certification Checklist: A correct answer of "Yes" to all of the questions below will ensure an expeditious grant of a construction permit. An answer of "No" will require additional evaluation of the applicable information in this form before a construction permit can be granted.

1. The proposed DTV facility complies with 47 C.F.R. Sections 73.622 and 73.623 in the following respects:

(a) It will operate on the DTV channel for this station as established in 47 C.F.R. Section 73.622.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(b) It will operate from a transmitting antenna located within 5.0 km (3.1 miles) of the DTV reference site for this station as established in 47 C.F.R. Section 73.622.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
(c) It will operate with an effective radiated power (ERP) and antenna height above average terrain (HAAT) that do not exceed the DTV reference ERP and HAAT for this station as established in 47 C.F.R. Section 73.622.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. The proposed facility will not have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding the applicable health and safety guidelines, and therefore will not come within 47 C.F.R. Section 1.1307.

	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
--	---	-----------------------------
3. Pursuant to 47 C.F.R. Section 73.625, the DTV coverage contour of the proposed facility will encompass the allotted principal community.

	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
--	---	-----------------------------
4. The requirements of 47 C.F.R. Section 73.1030 regarding notification to radio astronomy installations, radio receiving installations and FCC monitoring stations have either been satisfied or are not applicable.

	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
--	---	-----------------------------
5. The antenna structure to be used by this facility has been registered by the Commission and will not require reregistration to support the proposed antenna, OR the FAA has previously determined that the proposed structure will not adversely effect safety in air navigation and this structure qualifies for later registration under the Commission's phased registration plan, OR the proposed installation on this structure does not require notification to the FAA pursuant to 47 C.F.R. Section 17.7.

	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
--	---	-----------------------------

Application Data:

- | | | | | | |
|---|---|--------------|-------|---------|----|
| 1. Channel
(a) DTV Channel No. 39

(b) Associated analog TV station channel no., if any 5 | 2. Principal community to be served:

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%; padding: 5px;">City or Town</td> <td style="width: 20%; padding: 5px;">State</td> </tr> <tr> <td style="padding: 5px;">Calumet</td> <td style="padding: 5px;">MI</td> </tr> </table> | City or Town | State | Calumet | MI |
| City or Town | State | | | | |
| Calumet | MI | | | | |
3. Effective radiated power (average power): *(in the main lobe of radiation, if directional)* _____ 795 kw
 4. Height of antenna radiation center above average terrain (HAAT): *(to the nearest meter)* _____ 416 meters

5. Purpose of Application: (check appropriate boxes)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility | <input type="checkbox"/> Construct a new auxiliary facility |
| <input type="checkbox"/> Modify construction permit for main facility | <input type="checkbox"/> Modify construction permit for auxiliary antenna |
| <input type="checkbox"/> Modify licensed main facility | <input type="checkbox"/> Modify licensed auxiliary antenna |

If purpose is to modify, indicate the nature of change(s) by checking appropriate box(es) and specify the file number(s) of the authorizations affected.

- | | |
|---|---|
| <input type="checkbox"/> Antenna supporting structure height | <input type="checkbox"/> Effective radiated power |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Channel |
| <input type="checkbox"/> Antenna location | <input type="checkbox"/> Antenna system |
| <input type="checkbox"/> Other (summarize) | |

File Number(s) _____

6. Exact location of transmitting antenna..

- (a) Give address, city/state or if no address, specify distance and bearing relative to the nearest town or landmark.
5.2 kilometers at a bearing of 305 deg. T from the intersection of State Hwy. 95 & County Hwy. LG, near Republic, in Marquette County, MI.
- (b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates or center of array. Otherwise, specify tower location. Specify South Latitude and East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed. (The Commission requires coordinates based on NAD 27.)

Latitude	46 °	26 '	21 "	Longitude	88 °	03 '	01 "
----------	------	------	------	-----------	------	------	------

7. (a) Elevation (to the nearest meter) Heights determined in feet and converted to meters.

- | | |
|---|------------------|
| (1) of site above mean sea level; | _____ 488 meters |
| (2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and | _____ 427 meters |
| (3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)]. | _____ 914 meters |

(b) Height of radiation center: (to the nearest meter)

- | | |
|---|------------------|
| (1) above ground; and | _____ 419 meters |
| (2) above mean sea level [(a)(1) + (b)(1)]; | _____ 906 meters |

8. Attach as an Exhibit sketch(es) of the supporting structure, labeling all elevations required in item 7 above. If mounted on an AM directional array element, specify heights and orientations of all array towers, as well as location of any FM radiator.

Exhibit No. Figure 1

Section V-D -D TV BROADCAST ENGINEERING DATA (Page 3)

9. Antenna

(a) Manufacturer Andrew (b) Model No. ATW25H3-HTO-39S

(c) Is a directional antenna proposed? ☐ Yes ☒ No

If Yes, specify major lobe azimuth(s) N/A degrees True and attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).

Exhibit No.
N/A

(d) Is electrical beam tilt proposed? ☒ Yes ☐ No

If Yes, specify 0.75 degrees electrical beam tilt and attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).

Exhibit No.
Figure 2

(e) Is mechanical beam tilt proposed? ☐ Yes ☒ No

If Yes, specify N/A degrees mechanical beam tilt toward azimuth N/A True and attach as an Exhibit all data specified in 47 C.F.R. Section 73.625(c).

Exhibit No.
N/A

(f) The proposed antenna is: (check only one box)

☒ Horizontally polarized ☐ Circularly polarized ☐ Elliptically polarized ☐ Other: _____

Effective July 1, 1996, the Commission adopted rules which require Antenna Structure owners to apply for a registration number whenever antenna structures meet FAA notification criteria. As owners register these structures they are required to provide licensees with a copy of FCC Form 854R which provides the antenna structure registration number. (If you need additional information contact the FCC's Consumer Assistance Branch at 1-800-322-1117 for a copy of FACT SHEET #15, Antenna Structure Registration.)

10. Will the antenna be mounted on an antenna structure which has been registered with the Commission, to include the proposed antenna installation? ☒ Yes ☐ No

If Yes, provide the seven digit registration number and, unless item 11 also applies, proceed to item 15.

1057602

11. Has the owner of the antenna structure filed an application for registration with the Commission that will include the proposed facility? ☐ Yes ☐ No

If yes, provide the date FCC Form 854 was filed and proceed to item 15.

N/A

12. (If applicable) If the antenna structure is not yet registered but will be under the Commission's phased registration plan, has the FAA previously determined that the structure would not adversely affect safety in air navigation? ☐ Yes ☐ No

If Yes, proceed to item 15.

13. Antenna structure will be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town or settlement where it is evident beyond all reasonable doubt that the structure is so shielded that it will not adversely affect safety in air navigation, and therefore does not require registration. ☐ Yes ☐ No

If yes, submit as an Exhibit a detailed explanation and/or diagram to support your claim and skip to item 15.

Exhibit No.
N/A

14. Antenna structure does not otherwise meet FAA Notification as defined under 47 C.F.R. Section 17.7 and therefore does not require registration. ☐ Yes ☐ No

If Yes, give reason below.

N/A

15. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give the call letter(s) or file number(s) or both. BPCT-941116KH

16. Does the application propose to correct previous site coordinates? ☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	°	N/A'	"	Longitude	°	N/A'	"
----------	---	------	---	-----------	---	------	---

17. Attach as an Exhibit a topographic map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the provisions of 47 C.F.R. Section 73.625(b). The map must further display clearly and legibly the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
Figure 3

18. Attach as an Exhibit a map (*Sectional Aeronautical Chart or equivalent*) which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
Figure 4

- (a) the proposed transmitting location, and the radials along which profile graphs have been prepared;
- (b) the DTV coverage contour as established in 47 C.F.R. Section 73.625(b); and
- (c) the legal boundaries of the principal community to be served.

19. Terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.625(b))

Source of terrain data: (*check only one box below*)

- ☒ Linearly interpolated 30-second database (Source: N.G.D.C.)
- ☐ Linearly interpolated 3-second database (Source: _____)
- ☐ 7.5 minute topographic map
- ☐ Other (*briefly summarize*)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted distance to the DTV Coverage Contour (kilometers)
341	413.0	105.0
0	415.4	105.2
45	407.9	104.6
90	434.8	106.9
135	450.4	108.3
180	423.5	105.9
225	406.8	104.5
270	385.3	102.6
315	407.4	104.5

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Does the proposed facility satisfy the interference protection provisions of 47 C.F.R. Section 73.623(a)?
(Applicable only if **Certification Checklist** items 1(a), (b), or (c) are answered "No.")

☒ Yes ☐ No

If No, attach as an Exhibit justification therefore, including a summary of any related previously granted waivers.

Exhibit No.
N/A

21. If the proposed facility will not satisfy the coverage requirement of 47 C.F.R. Section 73.625, attach as an Exhibit justification therefore. (Applicable only if **Certification Checklist** item 3 is answered "No.")

Exhibit No.
N/A

22. Environmental Statement. (See 47 C.F.R. Section 1.1301 et seq.)

- (a) If a Commission grant of this application comes within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, submit as an Exhibit an Environmental Assessment required by 47 C.F.R. Section 1.1311.

Exhibit No.
N/A

- (b) If No, explain briefly why not.

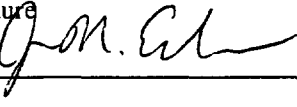
Proposal appears to be categorically excluded. No RF energy to workers or general public in excess of FCC standards.

- (c) Pursuant to OST Bulletin No. 65, the applicant must explain in an Exhibit what steps will be taken to limit the RF radiation exposure to the public and to persons authorized access to the tower site. In addition, where there are multiple contributors to radio frequency radiation, you must certify that the established RF radiation exposure procedures will be coordinated with all stations.

See Text.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
Jonathan N. Edwards	Technical Consultant
Signature 	Address (include ZIP Code) 240 N. Washington Blvd., Suite 700 Sarasota, Florida 34236-5929
Date October 27, 1998	Telephone No. (include Area Code) (941) 366-2611

TECHNICAL EXHIBIT
APPLICATION FOR DTV CONSTRUCTION PERMIT
SCANLAN TELEVISION, INC.
STATION WBKP(TV)
CALUMET, MICHIGAN

October 27, 1998

CH 39 795 KW 416 M

TECHNICAL EXHIBIT
APPLICATION FOR DTV CONSTRUCTION PERMIT
SCANLAN TELEVISION, INC.
STATION WBKP(TV)
CALUMET, MICHIGAN
CH 39 795 KW 416 M

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Figure 4	Predicted Coverage Contours
Figure 5	Separation Study
Figure 6	FAA Determination
Figure 7	Terrain Profile
Figure 8	Coverage Comparison Map

TECHNICAL EXHIBIT
APPLICATION FOR DTV CONSTRUCTION PERMIT
SCANLAN TELEVISION, INC.
STATION WBKP(TV)
CALUMET, MICHIGAN
CH 39 795 KW 416 M

Technical Narrative

This Technical Exhibit supports an application from Scanlan Television, Inc., permittee of television (TV) station WBKP on analog channel 5 Calumet, Michigan. The instant application requests a construction permit (CP) for a digital television (DTV) operation on channel 39 at Calumet, Michigan.

The Federal Communications Commission (FCC) assigned channel 18 as WBKP's DTV allotment in the Memorandum, Opinion and Order (MO&O) concerning reconsideration of the 6th Report and Order in MM Docket No. 87-268. The reference point for the channel 18 DTV allotment is WBKP's current site for analog channel 5. The FCC assigned an effective radiated power (ERP) of 1000 kilowatts (kW) and an antenna height above average terrain (HAAT) of 295 meters to the DTV allotment.

In order to better serve the upper peninsula portion of Michigan, station WBKP proposes to locate its DTV transmitting facilities near Republic, Michigan. Figure 8 is a map showing the predicted 41 dBu F(50,90)

contours for the FCC's channel 18 DTV allotment and WBKP's proposed channel 39 DTV operation. It is apparent from a review of the map that the WBKP proposed channel 39 DTV operation is more efficient from a coverage standpoint than the FCC's channel 18 DTV allotment. The estimated population within the channel 18 contour is 54,000 people whereas the population within the proposed channel 39 contour is more than 198,000 people.

Use of DTV channel 18 at the proposed site does not appear practical due to analog channel 19 at Marquette, Michigan. There are 6 applications pending for the channel 19 analog allotment at Marquette, ranging in distance from the proposed WBKP DTV site by 18 to 45 kilometers. In order to avoid this potential adjacent channel interference problem, WBKP proposes to change its DTV channel from 18 to channel 39. For the foregoing reasons, the FCC is respectfully requested to change WBKP's DTV allotment to channel 39, and to grant the operation proposed herein.

Station WBKP proposes its DTV operation on channel 39 with a non-directional antenna system. The proposed ERP is 795 kW and the antenna HAAT is 416 meters. The proposed facilities represent the maximum permitted by Section 73.622(f)(8) of the FCC Rules.

The proposed WBKP DTV transmitter site is located approximately 5.2 kilometers at a bearing of 305° True from the intersection of State Highway 95 & County Highway LG, near Republic, in Marquette County, Michigan. The site coordinates are as follows (NAD 27):

46° 26' 21" N

88° 03' 01" W

Station WBKP proposes to operate with a non-directional DTV antenna that will be top-mounted on a new tower. A map of site is being submitted as Figure 3. Figure 1 is a sketch of the antenna and supporting structure showing the location of the proposed WBKP DTV antenna system.

The FAA has been notified and has issued a Determination of No Hazard (FAA Aeronautical Study No. 98-AGL-1847-OE). A copy of the FAA determination is shown on Figure 6. The FCC antenna registration number for the proposed WBKP structure is 1057602.

No known AM stations exist within 5 kilometers (3 miles) of the proposed WBKP DTV site. There are no known authorized full service FM and TV facilities within 16 kilometers (10 miles) of the proposed site. Although no prohibitive electromagnetic interference is expected, the applicant recognizes its responsibility to correct problems, which may arise due to its proposed operation.

The site is 157 kilometers from the closest point of the Canadian Border. Hence, coordination with Canada may be required.

The site is more than 2,100 kilometers from the closest point of the Mexican border. The closest FCC monitoring station is at Allegan, Michigan located 457 kilometers to the south-southeast. The National Radio Quiet Zone (VA/WV) is more than 1,000 kilometers to the

southeast. The Table Mountain Radio Quiet Zone (CQ) is more than 1,500 kilometers to the west-southwest. The closest radio astronomy site conducting research on TV channel 37 is at North Liberty, Iowa located 590 kilometers to the south-southwest. All these separations are considered sufficient to avoid interference from the proposed DTV operation.

Figure 4 is a map showing the DTV predicted coverage contour. The map provides the predicted 41 dBu f(50,90) noise limited contour. The extent of the contour has been calculated using the normal FCC prediction method. The Calumet city limits were derived from information contained in the 1990 U.S. Census for Michigan. The population within the predicted 41 dBu contour is based on 1990 Census information. The U.S. land area within the predicted 41 dBu contour is based on the use of a computer algorithm.

Figure 7 is a terrain profile from the proposed WBKP DTV transmitter site to the city of Calumet. The terrain profile graph is based on use off a 3 second digitized terrain database. As shown on the profile, there is a line-of-sight path from the proposed site to Calumet.

Figure 5 is the separation study for DTV channel 39 at the proposed site. As shown, DTV channel 39 at the proposed site currently meets all of the FCC's separation requirements. The separation study has been used to determine the analog and DTV assignments requiring interference studies using the procedures outlined in the

FCC's OET-69 bulletin.¹ Interference calculations for the proposed WBKP DTV operation are summarized below.

<u>Station</u>	<u>Channel</u>	<u>Proposed DTV Interference Population</u>
App., Ironwood, MI	NTSC-24	0
WACY, Appleton, WI	NTSC-32	0
WLEF-TV, Park Falls, WI	NTSC-36	0
WPNE, Green Bay, WI	NTSC-38	0
WDSE-TV, Duluth, MN	DTV-38	0
WEAU-TV, Eau Claire, WI	DTV-39	16,400
WZZM-TV, Grand Rapids, MI	DTV-39	0
WQRF-TV, Rockford, IL	NTSC-39	0
WSAW-TV, Wausau, WI	NTSC-39	0
WWTW, Cadillac, MI	DTV-40	0
WAZW, Antigo, WI	NTSC-46	0

Only WEAU-TV on DTV channel 39 requires more detailed interference calculations to determine the amount of new or unique interference caused by the proposed WBKP DTV operation on channel 39.

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures adopted by the FCC in the Sixth Report and Order and subsequent Memorandum Opinion and Order. The principals outlined in OET Bulletin No. 69 are employed except that annular sector cells are employed instead of square grid cells of 4 square kilometers in area. The annular sector cells are 1-arc degree by 1 kilometer in dimension. The annular sector cell areas vary from approximately 0.02 square kilometer close to the station transmitter site to 2 square kilometers at the greatest extent of a station's protected contour. In some instances, the resulting higher cell resolution of the DLR routine produces different results than the standard FCC 4-square-kilometer FCC grid method. However, the DLR routine results have been found to closely agree with the FCC results when the FCC uses higher resolution (i.e. - smaller grid cell area) in its program.

<u>Station</u>	<u>Channel</u>	<u>FCC Service Population</u>	<u>Prop. DTV New (Unique) Interference Population</u>
WEAU-TV, Eau Claire, WI	DTV-39	711,000	543 (0.08%)

From the above, it is apparent that the proposed WBKP DTV operation on channel 39 complies with the FCC's 2%/10% interference standard with all authorized analog and DTV assignments.

Consideration has been given to the new RF emission rules whose implementation date was October 15, 1997. Based on a relative field factor of 0.1 (see Figure 2), the proposed power density at 2 meters above ground at the tower base will be 0.0015 mW/cm^2 , which is less than 1% of the recommended limit of 0.42 mW/cm^2 for channel 39, applicable to general population/uncontrolled exposure areas. Therefore, based on the new responsibility threshold of 5%, the proposal will comply with the new RF emission rules.

Access to the transmitting site will be restricted and appropriately marked with warning signs. As this will be a multi-user site, an agreement will be in effect to control access to the site. In the event that workers or other authorized personnel enter restricted areas or climb the tower, appropriate measures will be taken to assure worker safety with respect to radio frequency radiation exposure. Such measures include reducing the average exposure by spreading out the work over a longer period of time, wearing "accepted" RFR protective clothing and/or RFR exposure monitors or

scheduling work when the stations are at reduced power or shut down. The proposed WBKP DTV operation appears to be otherwise categorically excluded from environmental processing.

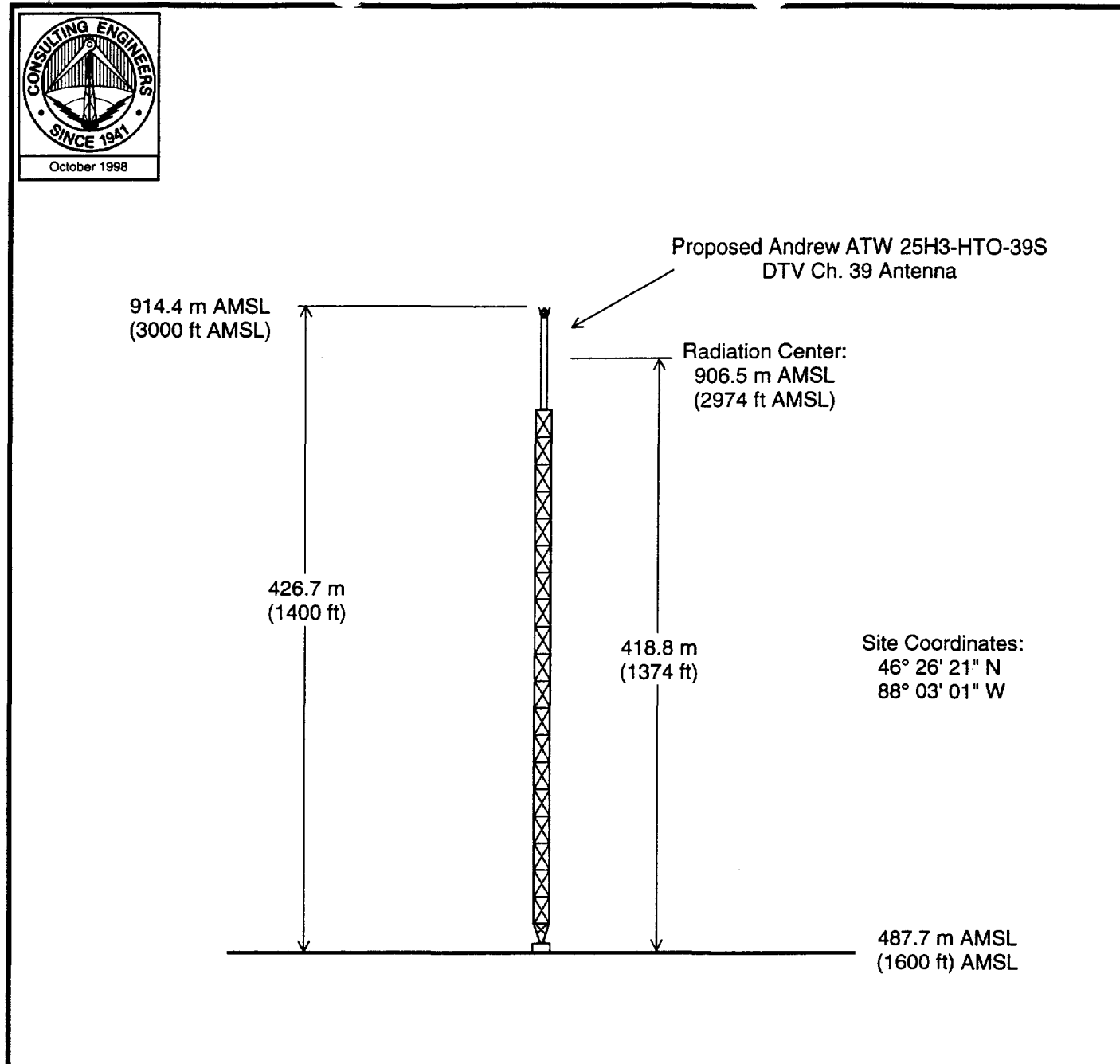
If there are questions concerning the technical portion of this application, please contact the office of the undersigned.



Jonathan N. Edwards

du Treil, Lundin & Rackley, Inc.
240 North Washington Blvd.
Suite 700
Sarasota, Florida 34236

October 27, 1998



PROPOSED ANTENNA AND SUPPORTING STRUCTURE

STATION WBKP(TV)

CALUMET, MICHIGAN

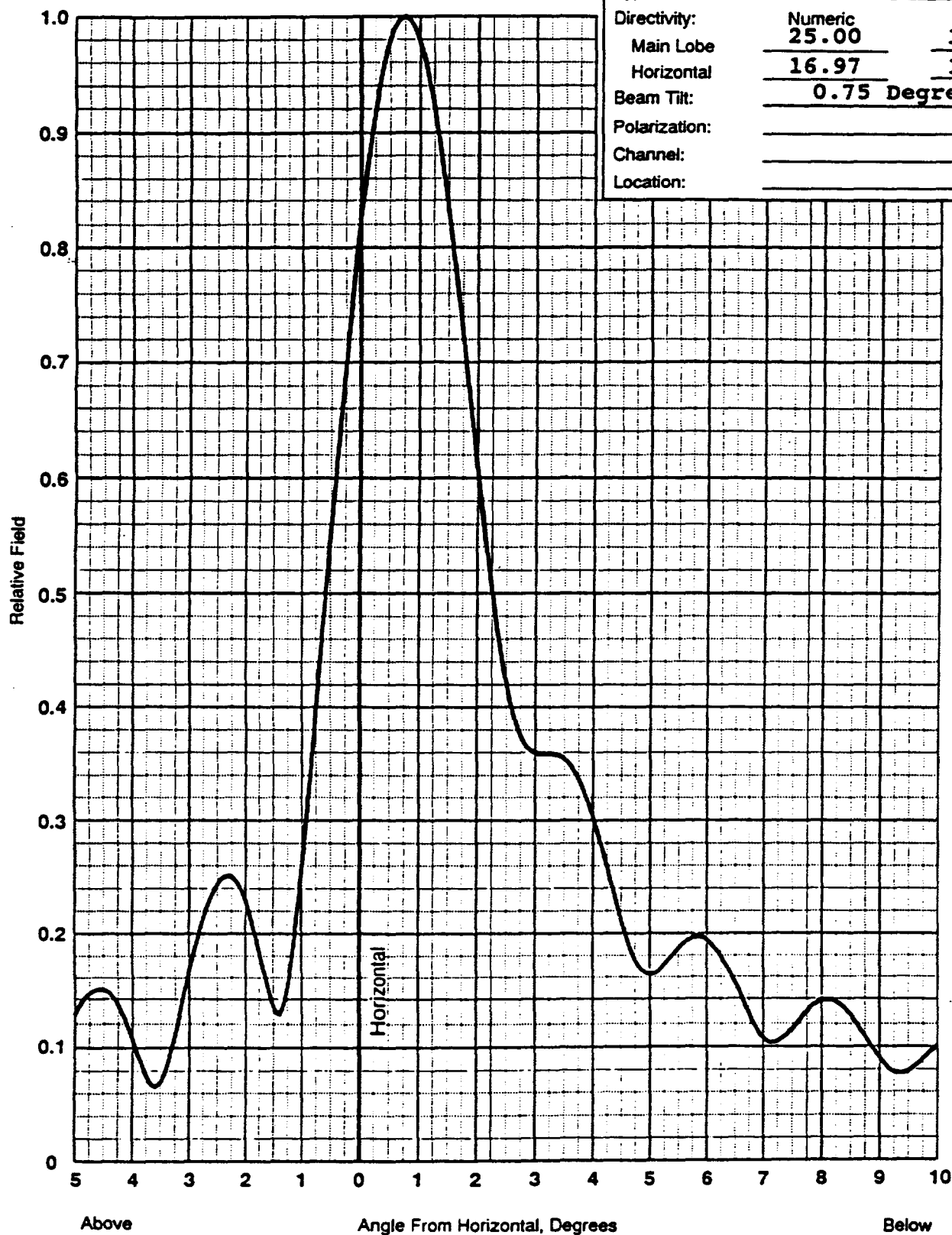
CH 39 795 KW 416 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida



ANDREW ELEVATION PATTERN

Type:	ATW25H3H	
Directivity:	Numeric	dBd
Main Lobe	25.00	13.98
Horizontal	16.97	12.30
Beam Tilt:	0.75 Degrees	
Polarization:		
Channel:		
Location:		



ANDREW CORPORATION
10500 W. 153rd Street
Orland Park, Illinois U.S.A. 60462



TABULATED DATA FOR ELEVATION PATTERN

TYPE ATW25H3H

ANGLE	RELATIVE FIELD	dB	ANGLE	RELATIVE FIELD	dB	ANGLE	RELATIVE FIELD	dB	ANGLE	RELATIVE FIELD	dB
-5° TO 10° IN 0.25° INCREMENTS			10° TO 90° IN 0.5° INCREMENTS								
-5.00	0.127	-17.91	10.00	0.101	-19.90	40.00	0.027	-31.43	70.00	0.039	-28.24
-4.75	0.145	-16.77	10.50	0.106	-19.51	40.50	0.017	-35.52	70.50	0.035	-29.17
-4.50	0.148	-16.59	11.00	0.083	-21.65	41.00	0.019	-34.60	71.00	0.029	-30.78
-4.25	0.135	-17.42	11.50	0.060	-24.38	41.50	0.029	-30.78	71.50	0.022	-33.34
-4.00	0.107	-19.44	12.00	0.073	-22.70	42.00	0.035	-29.15	72.00	0.013	-37.60
-3.75	0.075	-22.53	12.50	0.088	-21.15	42.50	0.033	-29.63	72.50	0.004	-47.19
-3.50	0.071	-22.93	13.00	0.078	-22.16	43.00	0.024	-32.30	73.00	0.005	-46.76
-3.25	0.113	-18.96	13.50	0.054	-25.30	43.50	0.015	-36.38	73.50	0.013	-37.69
-3.00	0.167	-15.56	14.00	0.052	-25.62	44.00	0.019	-34.35	74.00	0.021	-33.64
-2.75	0.214	-13.39	14.50	0.069	-23.16	44.50	0.029	-30.71	74.50	0.028	-31.21
-2.50	0.244	-12.24	15.00	0.072	-22.85	45.00	0.035	-29.22	75.00	0.033	-29.61
-2.25	0.250	-12.03	15.50	0.055	-25.15	45.50	0.033	-29.69	75.50	0.037	-28.57
-2.00	0.229	-12.81	16.00	0.041	-27.80	46.00	0.025	-32.19	76.00	0.040	-27.92
-1.75	0.183	-14.77	16.50	0.052	-25.70	46.50	0.015	-36.30	76.50	0.042	-27.58
-1.50	0.134	-17.48	17.00	0.062	-24.10	47.00	0.018	-35.10	77.00	0.042	-27.51
-1.25	0.153	-16.32	17.50	0.055	-25.15	47.50	0.028	-31.19	77.50	0.041	-27.67
-1.00	0.260	-11.71	18.00	0.038	-28.43	48.00	0.034	-29.25	78.00	0.040	-28.04
-0.75	0.402	-7.91	18.50	0.038	-28.51	48.50	0.035	-29.13	78.50	0.037	-28.61
-0.50	0.554	-5.14	19.00	0.052	-25.70	49.00	0.029	-30.78	79.00	0.034	-29.38
-0.25	0.698	-3.12	19.50	0.055	-25.21	49.50	0.019	-34.44	79.50	0.030	-30.35
0.00	0.824	-1.69	20.00	0.042	-27.45	50.00	0.014	-37.35	80.00	0.026	-31.54
0.25	0.920	-0.72	20.50	0.030	-30.60	50.50	0.021	-33.48	80.50	0.022	-32.96
0.50	0.980	-0.17	21.00	0.038	-28.34	51.00	0.031	-30.27	81.00	0.018	-34.67
0.75	1.000	0.00	21.50	0.049	-26.16	51.50	0.036	-28.95	81.50	0.015	-36.71
1.00	0.979	-0.18	22.00	0.046	-26.67	52.00	0.035	-29.20	82.00	0.011	-39.20
1.25	0.920	-0.72	22.50	0.033	-29.75	52.50	0.028	-31.06	82.50	0.008	-42.31
1.50	0.831	-1.60	23.00	0.027	-31.25	53.00	0.018	-34.88	83.00	0.005	-46.34
1.75	0.722	-2.82	23.50	0.039	-28.11	53.50	0.012	-38.07	83.50	0.003	-51.38
2.00	0.607	-4.34	24.00	0.046	-26.77	54.00	0.020	-34.10	84.00	0.002	-53.39
2.25	0.500	-6.02	24.50	0.039	-28.11	54.50	0.029	-30.66	84.50	0.003	-50.22
2.50	0.419	-7.55	25.00	0.026	-31.54	55.00	0.035	-29.03	85.00	0.004	-47.58
2.75	0.374	-8.54	25.50	0.028	-31.10	55.50	0.036	-28.83	85.50	0.005	-46.02
3.00	0.360	-8.88	26.00	0.040	-28.06	56.00	0.032	-29.98	86.00	0.005	-45.23
3.25	0.359	-8.89	26.50	0.043	-27.35	56.50	0.023	-32.75	86.50	0.006	-45.01
3.50	0.354	-9.01	27.00	0.035	-29.24	57.00	0.013	-37.50	87.00	0.005	-45.28
3.75	0.336	-9.47	27.50	0.023	-32.64	57.50	0.012	-38.22	87.50	0.005	-46.05
4.00	0.303	-10.38	28.00	0.028	-31.13	58.00	0.021	-33.38	88.00	0.004	-47.36
4.25	0.258	-11.77	28.50	0.038	-28.34	58.50	0.030	-30.35	88.50	0.003	-49.40
4.50	0.211	-13.51	29.00	0.040	-27.99	59.00	0.036	-28.91	89.00	0.002	-52.61
4.75	0.175	-15.12	29.50	0.031	-30.18	59.50	0.037	-28.68	89.50	0.001	-58.44
5.00	0.163	-15.76	30.00	0.021	-33.55	60.00	0.033	-29.57	90.00	0.000	-99.99
5.25	0.172	-15.31	30.50	0.027	-31.46	60.50	0.026	-31.78			
5.50	0.187	-14.56	31.00	0.037	-28.68	61.00	0.016	-35.95			
5.75	0.197	-14.13	31.50	0.038	-28.34	61.50	0.008	-41.55			
6.00	0.194	-14.25	32.00	0.030	-30.49	62.00	0.014	-37.20			
6.25	0.179	-14.96	32.50	0.020	-34.05	62.50	0.024	-32.55			
6.50	0.154	-16.24	33.00	0.024	-32.30	63.00	0.032	-29.99			
6.75	0.127	-17.92	33.50	0.034	-29.28	63.50	0.037	-28.72			
7.00	0.108	-19.36	34.00	0.037	-28.63	64.00	0.038	-28.41			
7.25	0.105	-19.57	34.50	0.030	-30.40	64.50	0.036	-28.96			
7.50	0.116	-18.68	35.00	0.019	-34.20	65.00	0.030	-30.46			
7.75	0.130	-17.69	35.50	0.021	-33.72	65.50	0.022	-33.26			
8.00	0.139	-17.16	36.00	0.031	-30.19	66.00	0.012	-38.40			
8.25	0.137	-17.24	36.50	0.036	-28.87	66.50	0.005	-45.92			
8.50	0.127	-17.95	37.00	0.032	-29.90	67.00	0.012	-38.23			
8.75	0.109	-19.26	37.50	0.022	-33.32	67.50	0.022	-33.24			
9.00	0.090	-20.93	38.00	0.017	-35.55	68.00	0.030	-30.48			
9.25	0.078	-22.18	38.50	0.026	-31.78	68.50	0.036	-28.89			
9.50	0.079	-22.05	39.00	0.034	-29.37	69.00	0.039	-28.07			
9.75	0.090	-20.95	39.50	0.034	-29.26	69.50	0.040	-27.88			

Figure 3

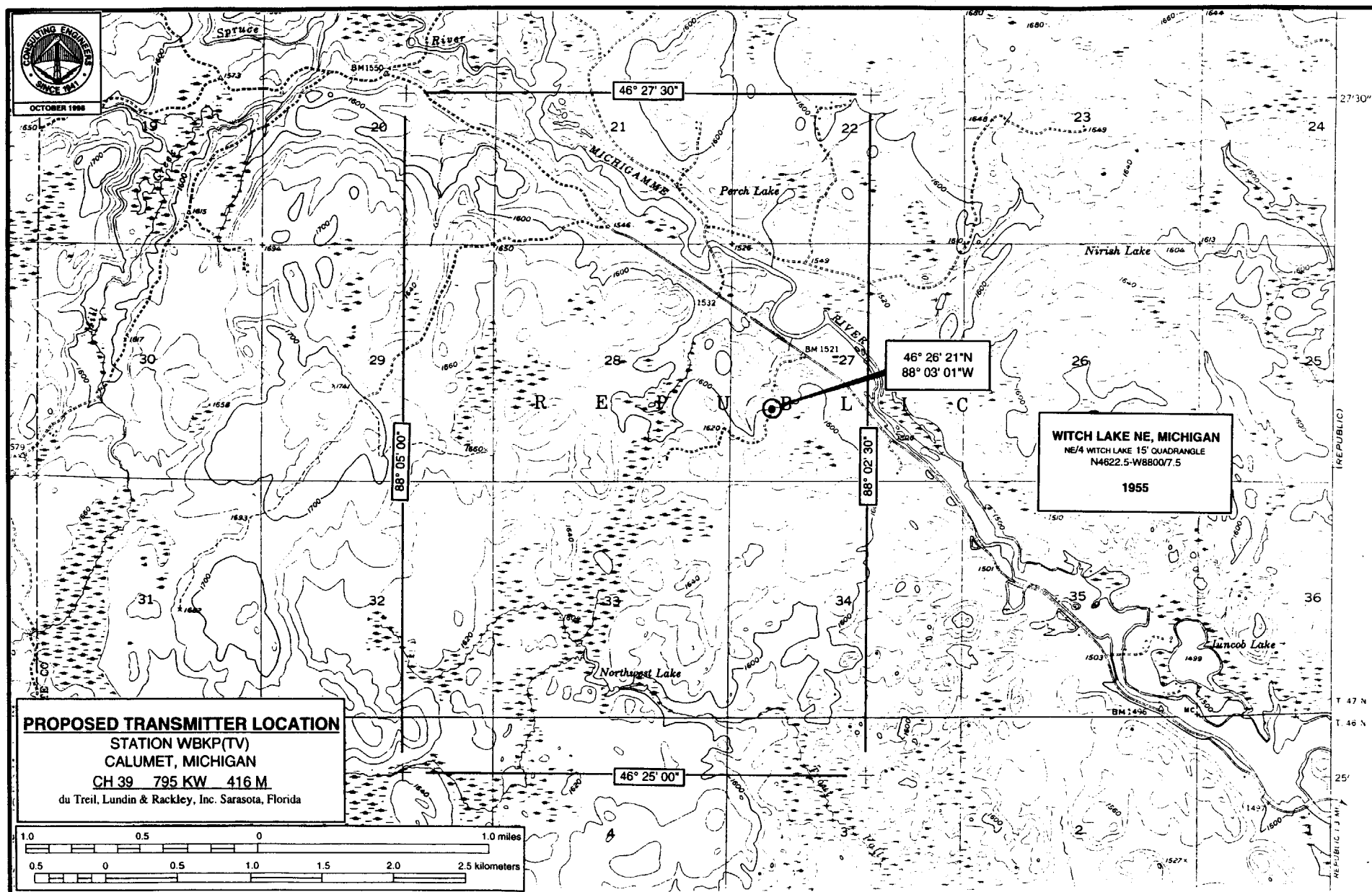
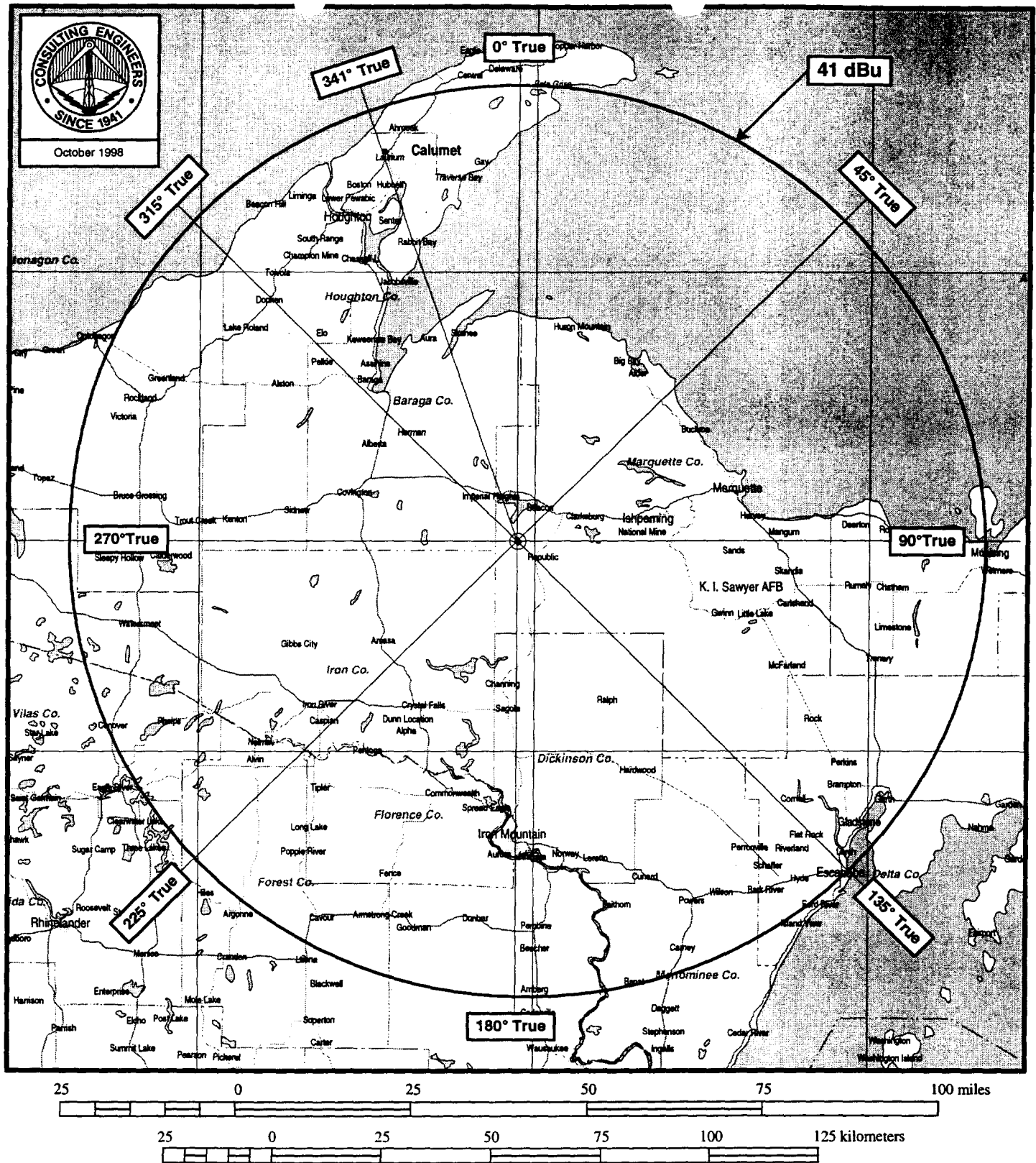


Figure 4



PREDICTED COVERAGE CONTOURS

STATION WBKP(TV)

CALUMET, MICHIGAN

CH 39 795 KW 416 M

du Treil, Lundin & Rackley, Inc Sarasota, Florida

DTV -> TV Separation Study

Job Title :WBKP-DTV
 Zone : 2
 Channel 39 (620-626 MHz)

Separation Buffer 200 km
 FCC TV DB Date : 10/23/98
 Coordinates : 46-26-21 88-03-01

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
NEW APP	IRONWOOD MI	BPCT-960927KG	24(+) II	1350 326	46-29-25 90-01-25	272.9	151.70	24.1/96.6 CLEAR
NEW APP	IRONWOOD MI	BPCT-960624KL	24(+) II	1100 DA 172	46-27-24 90-07-40	271.5	159.65	24.1/96.6 CLEAR
ALLOC.	IRONWOOD MI	-	24(+) II	0	46-27-19 90-10-11	271.4	162.88	24.1/96.6 CLEAR
NEW APP	IRONWOOD MI	BPCT-961001LL	24(+) II	5000 201	46-25-25 90-14-53	270.2	168.94	24.1/96.6 CLEAR
ALLOC.	THUNDER BAY ON	-	25(-) II	0	48-23-00 89-15-00	337.8	234.36	95.0 CLEAR
WACY LIC	APPLETON WI	BLCT-840322KE	32(+) II	1070 363	44-21-32 87-58-58	178.7	231.27	24.1/96.6 CLEAR
WACY CP	APPLETON WI	BPCT-931012KE	32(+) II	1050 336	44-21-30 87-58-48	178.6	231.34	24.1/96.6 CLEAR
WACY APP	APPLETON WI	BPCT-960626KG	32(+) II	5000 DA 336	44-21-30 87-58-48	178.6	231.34	24.1/96.6 CLEAR
ALLOC.	SAULT STE. MARIE MI	-	*32(-) II	0	46-29-58 84-20-37	87.3	284.79	24.1/96.6 CLEAR
WLEFTV LIC	PARK FALLS WI	BLET-433	*36(+) II	741 448	45-56-43 90-16-28	253.0	180.27	24.1/96.6 CLEAR
WLEFTV CP	PARK FALLS WI	BPET-920221KE	*36(+) II	1050 445	45-56-43 90-16-28	253.0	180.27	24.1/96.6 CLEAR
WPNE LIC	GREEN BAY WI	BMLET-920501KF	*38(o) II	1070 360	44-24-35 88-00-05	179.0	225.59	12.0/106.0 CLEAR
ALLOC.	MARSHFIELD WI	-	39(-) II	0	44-39-09 90-10-24	220.5	258.70	244.6 CLOSE

DTV -> TV Separation Study

Job Title :WBKP-DTV
 Zone : 2
 Channel 39 (620-626 MHz)

Separation Buffer 200 km
 FCC TV DB Date : 10/23/98
 Coordinates : 46-26-21 88-03-01

Call	City	Channel	ERP(kW)	Latitude	Bear.	Dist..	Req.
Status	St	FCC File No.	Zone	HAAT(m)	Longitude	True (km)	(km)
NEW	MARSHFIELD	39(-)	3720 DA	44-39-51	230.0	301.00	244.6
APP	WI	BPCT-960220KF	II 578	90-57-41			CLEAR
REQUESTS A WAIVER OF FREEZE.							
	THUNDER BAY	41(-)		48-23-00	337.8	234.36	90.0
ALLOC. ON	-	II	0	89-15-00			CLEAR
	STURGEON BAY	42(o)		44-50-18	163.4	185.45	24.1/96.6
ALLOC. WI	-	II	0	87-22-48			CLEAR
WAZW	ANTIGO	46(o)	3090 DA	45-03-33	215.5	187.51	24.1/96.6
CP MOD	WI	BMPCT-980721KH	II 280	89-26-10			CLEAR
	SAULT STE MARIE	54(+)		46-31-00	86.9	285.59	30.0
ALLOC. ON	-	II	0	84-20-00			CLEAR

** End of TV Separation Study for Channel 39 **

DTV ->DTV Separation Study

Job Title :WBKP-DTV

Zone : 2

Channel 39 (620-626 MHz)

Separation Buffer 200 km

FCC DTV DB Date: 03/16/98

Coordinates : 46-26-21 88-03-01

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
DWEAUTV	EAU CLAIRE		39	944.30	44-39-51	230.0	300.99	223.7
DTVALT	WI		II	607.	90-57-41			CLEAR
DWZZMTV	GRAND RAPIDS		39	1000.0	43-18-34	153.4	386.67	196.3
DTVALT	MI		I	305.	85-54-44			CLEAR
DWSAWTV	WAUSAU		40	836.00	44-55-14	217.7	211.77	24.0/110.0
DTVALT	WI		II	369.	89-41-31			CLEAR

** End of DTV Separation Study for Channel 39 **

Federal Aviation Administration
Great Lakes Region, AGL-520
2300 East Devon Avenue
Des Plaines, IL 60018

AERONAUTICAL STUDY
No: 98-AGL-1847-OE
PRIOR STUDY
No: 94-AGL-3425-OE

ISSUED DATE: 09/25/98

THOMAS SCANLAN
WBKP-TV
1122 CALUMET AVE. #5
CALUMET, MI 49913

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has completed an aeronautical study under the provisions of 49 U.S.C., Section 44718 and, if applicable, Title 14 of the Code of Federal Regulations, part 77, concerning:

Description: INCREASE HGHT OF PROPOSED TOWER 192-198 MHZ,

ERP 316 KW

Location: REPUBLIC MI

Latitude: 46-26-20.37 NAD 83

Longitude: 088-03-01.08

Heights: 1400 feet above ground level (AGL)

3000 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

-As a condition to this determination, the structure should be marked and/or lighted in accordance with FAA Advisory Circular 70/7460-1J, Obstruction Marking and Lighting, Chapters 4, 9(H-Dual), & 13.

-It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

✓ At least 10 days prior to start of construction
(7460-2, Part I)

✓ Within 5 days after construction reaches its greatest height
(7460-2, Part II)

This determination expires on 05/04/00 unless:

- (a) extended, revised or terminated by the issuing office or
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case the determination expires on the date prescribed by the FCC for completion of construction or on the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

-As a result of this structure being critical to flight safety, it is required that the FAA be kept apprised as to the status of this

project. Failure to respond to periodic FAA inquiries could invalidate this determination.

This determination is subject to review if an interested party files a petition on or before 10/25/98. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted in triplicate to the Manager, Airspace and Rules Division ATA-400 Federal Aviation Administration, Washington, D.C. 20591.

This determination becomes final on 11/04/98 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, frequency(ies) or use of greater power will void this determination. Any future construction or alteration, including increase in heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

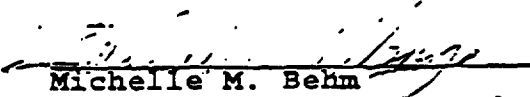
This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect to air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 847-294-7569. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 98-AGL-1847-OE.


Michelle M. Behm
Manager, Airspace Branch

(DNE)

7460-2 Attached
Attachment

The proposed structure would be located approximately 20 nautical miles southwest of the Marquette County Airport, Marquette, MI. It would exceed the obstruction standards of the Federal Aviation Regulations, Part 77 as follows:

Section 77.23(a)(1) by 900 ft. – a height more than 500 ft. AGL

The proposal was circularized for public comment by letter dated 8/4/98. No letters of objection were received as a result of circularization

The proposal would have no effect on any existing or planned instrument flight rules (IFR) operations, procedures, minimum flight altitudes, air navigation and communication facilities.

Study for visual flight rules (VFR) effect disclosed the proposal would be beyond all known public-use airport traffic pattern airspace area. But, at 1400 feet above ground level would penetrate altitudes considered available for VFR enroute operations.

The FAA guidelines for determining effects on VFR enroute air navigation are that an object would have adverse effect upon air navigation if it would exceed a height of 500 feet AGL and would be located within two statute miles of a regularly used VFR route identifiable by well defined natural or manmade landmarks or specific VOR radial. Study did not reveal any of the proceeding conditions.

Therefore, it is determined the proposed structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities and would not be a hazard to air navigation. The structure will be aeronautical charted and obstruction marked and lighted to ensure conspicuity.

Aeronautical Study No. 98-AGL-1847-OE

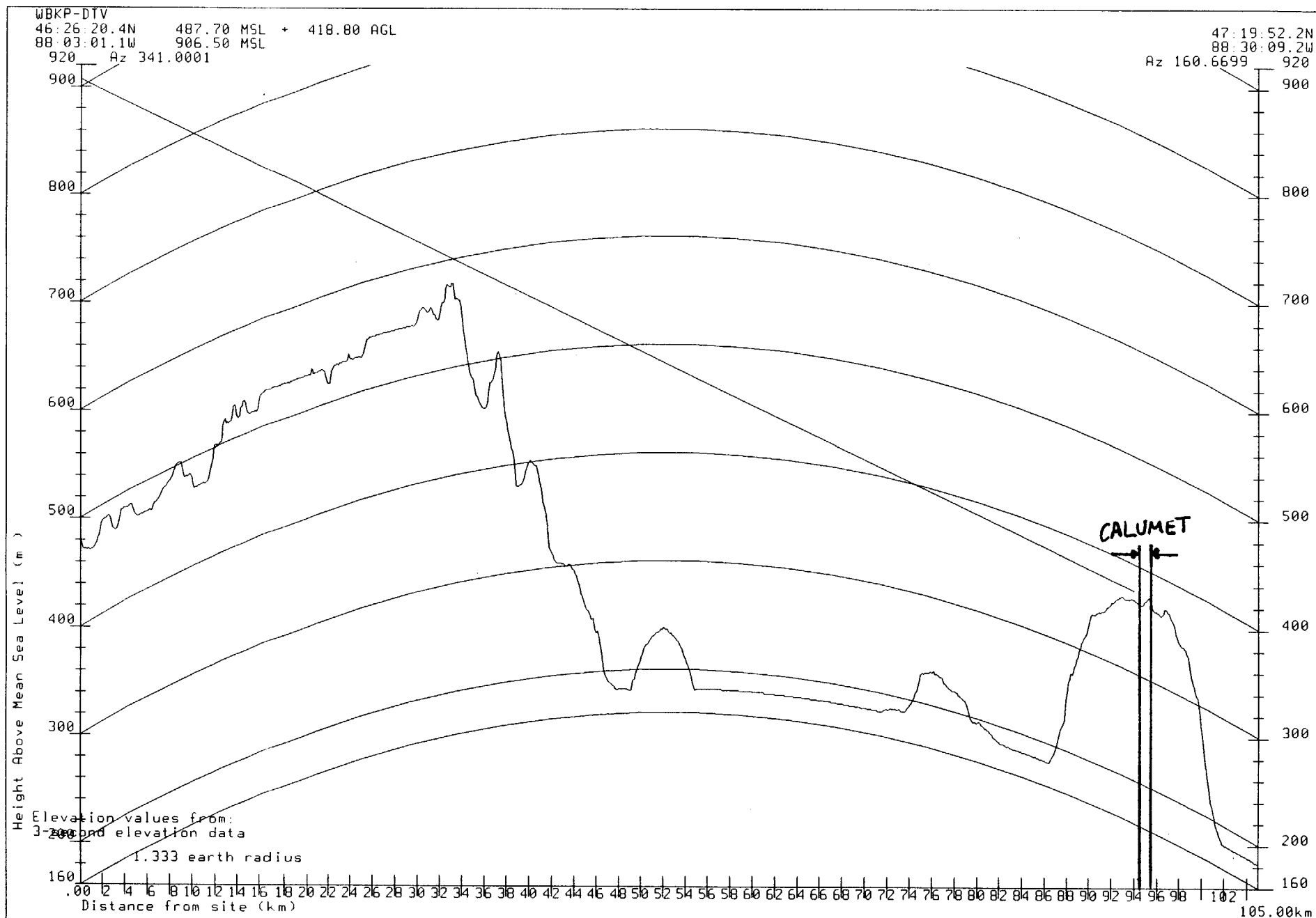
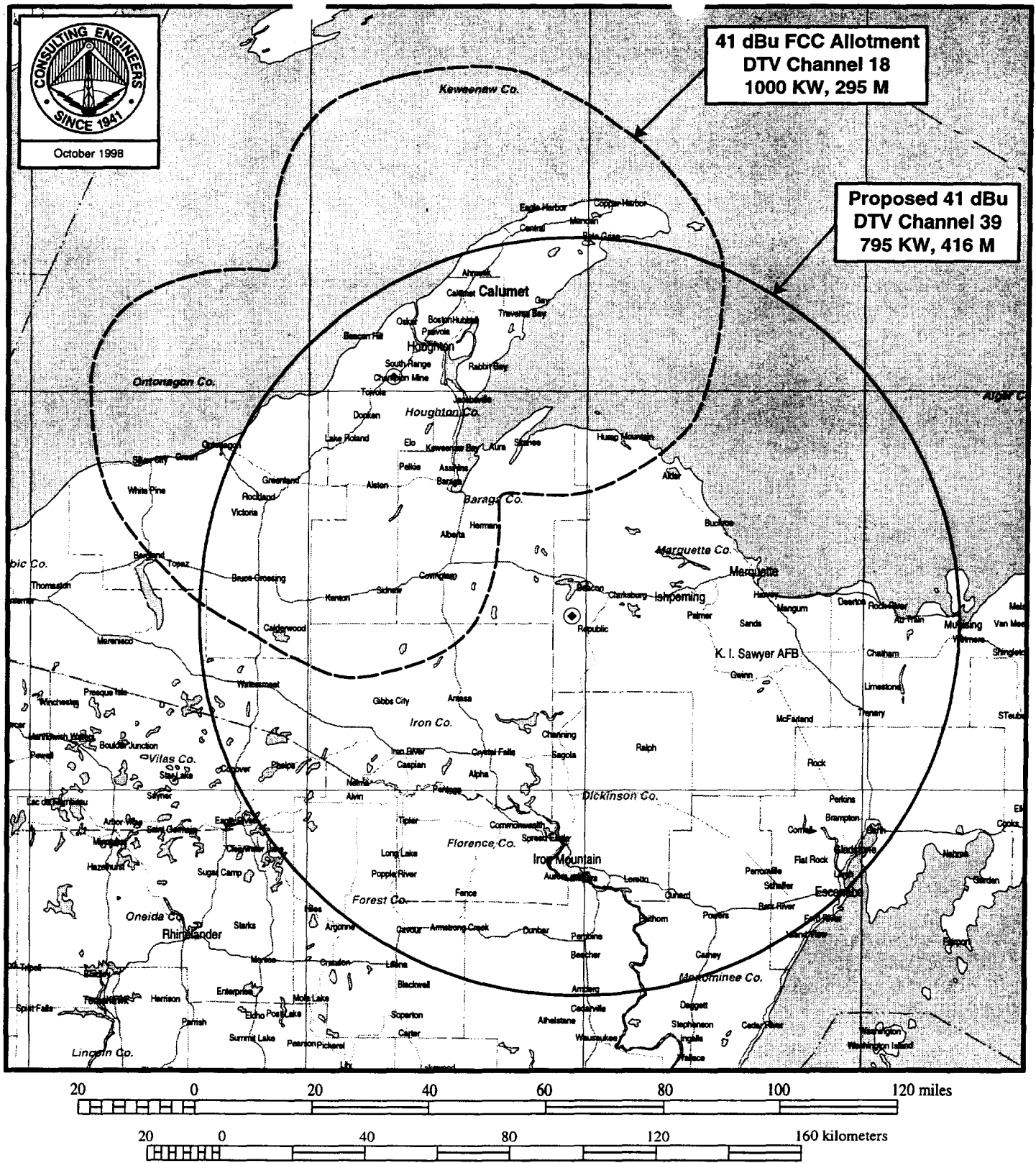


Figure 7

Figure 8



DTV COVERAGE COMPARISON

STATION WBKP(TV)

CALUMET, MICHIGAN

CH 39 795 KW 416 M

du Treil, Lundin & Rackley, Inc Sarasota, Florida

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Does the applicant propose to employ five or more full-time employees?

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC Form 396-A).

Not applicable - minor change

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580? ☐ Yes ☐ No
Not applicable - minor change
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? ☒ Yes ☐ No

If No, attach as an Exhibit, a full explanation.

Exhibit No.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of person contacted: Cheryl A. Kemmer

Telephone No. (include area code): (906) 786-1660

Person contacted: (check one box below:

☐ Owner ☒ Owner's Agent ☐ Other (specify)

4. By checking Yes, the applicant certifies, that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

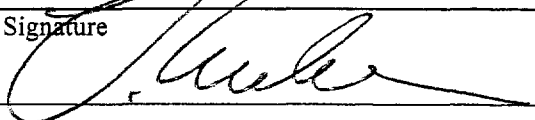
The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached Exhibits are considered material representations, and that all Exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section. 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Name Scanlan Television, Inc.	Signature 
Title President	Date 11/10/98
Typed or Printed Name of Person Signing Thomas Scanlan	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

LATHAM & WATKINS

ATTORNEYS AT LAW

1001 PENNSYLVANIA AVE., N.W.

SUITE 1300

WASHINGTON, D.C. 20004-2505

TELEPHONE (202) 637-2200

FAX (202) 637-2201

PAUL R. WATKINS (1899 - 1973)
DANA LATHAM (1898 - 1974)

CHICAGO OFFICE

SEARS TOWER, SUITE 5600
CHICAGO, ILLINOIS 60606
PHONE (312) 876-7700, FAX 993-9767

HONG KONG OFFICE

SUITE 2205A, 22ND FLOOR
NO. 9 QUEEN'S ROAD CENTRAL
HONG KONG
PHONE + 852-2522-7888, FAX 2522-7008

LONDON OFFICE

ONE ANGEL COURT
LONDON EC2R 7HJ ENGLAND
PHONE + 44-171-374 4444, FAX 374 4480

LOS ANGELES OFFICE

633 WEST FIFTH STREET, SUITE 4000
LOS ANGELES, CALIFORNIA 90071-2007
PHONE (213) 485-1234, FAX 891-8763

MOSCOW OFFICE

ULITSA GASHEKA, 7, 9TH FLOOR
MOSCOW 123056, RUSSIA
PHONE + 7-095 785-1234, FAX 785-1235

NEW JERSEY OFFICE

ONE NEWARK CENTER, 18TH FLOOR
NEWARK, NEW JERSEY 07101-3174
PHONE (973) 639-1234, FAX 639-7298

VIA MESSENGER

Federal Communications Commission
Mass Media Services
P.O. Box 358165
Pittsburgh, PA 15251-5165

Re: WBKP-TV, Calumet, Michigan
Authorization for DTV Channel 39 (FCC Form 301)

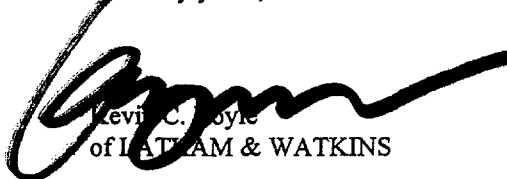
Ladies and Gentlemen:

Enclosed on behalf of Scanlan Communications, Inc., permittee of television station WBKP-TV, Calumet, Michigan, is an Application for a Construction Permit for Commercial Broadcast Station (FCC Form 301). This application requests a modification of the digital television facilities assigned to WBKP-TV in the 6th Report & Order. See In re Advanced Television Systems, MM Docket No. 87-268, Sixth Report and Order, 12 FCC Rcd 14588 (1997).

Also enclosed is a completed Remittance Advice (FCC Form 159). As indicated on Form 159, Section F, the applicant is using a credit card to cover the required filing fee of \$725.00.

In the event there are any questions concerning this filing, please contact me or our Communications Specialist, Lorraine W. Self.

Sincerely yours,



Kevin C. Boyle
of LATHAM & WATKINS

Enclosures

cc: Tom Scanlan
Lorraine W. Self

NEW YORK OFFICE

885 THIRD AVENUE, SUITE 1000
NEW YORK, NEW YORK 10022-4802
PHONE (212) 908-1200, FAX 751-4864

ORANGE COUNTY OFFICE

650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CALIFORNIA 92626-1925
PHONE (714) 540-1235, FAX 755-8290

SAN DIEGO OFFICE

701 'B' STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101-8197
PHONE (619) 238-1234, FAX 696-7419

SAN FRANCISCO OFFICE

505 MONTGOMERY STREET, SUITE 1900
SAN FRANCISCO, CALIFORNIA 94111-2562
PHONE (415) 391-0600, FAX 395-8095

SILICON VALLEY OFFICE

75 WILLOW ROAD
MENLO PARK, CALIFORNIA 94025-3656
PHONE (650) 328-4600, FAX 463-2600

SINGAPORE OFFICE

20 CECIL STREET, #25-02/03/04
THE EXCHANGE, SINGAPORE 049705
PHONE + 65-536-1161, FAX 536-1171

TOKYO OFFICE

INFINI AKASAKA, 8-7-15, AKASAKA, MINATO-KU
TOKYO 107-0052, JAPAN
PHONE + 813-3423-3970, FAX 3423-3971

LATHAM & WATKINS

November 12, 1998

Page 2

bcc: Scanlan 014560-0003 Eng.

READ INSTRUCTIONS CAREFULLY

BEFORE PROCEEDING

358165

FEDERAL COMMUNICATIONS COMMISSION

REMITTANCE ADVICE

APPROVED BY OMB

3060-0589

SPECIAL USE

FCC USE ONLY

(1) LOCKBOX #

PAGE NO. 1 OF 1

SECTION A - PAYER INFORMATION

(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card)

Scanlan Television, Inc.

(3) TOTAL AMOUNT PAID (dollars and cents)

\$ 725.00

(4) STREET ADDRESS LINE NO. 1

1122 Calumet Avenue, #5

(5) STREET ADDRESS LINE NO. 2

(6) CITY

Calumet

(7) STATE

MI

(8) ZIP CODE

49913

(9) DAYTIME TELEPHONE NUMBER (include area code)

(906) 337-9990

(10) COUNTRY CODE (if not in U.S.A.)

IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)

SECTION B - APPLICANT INFORMATION

(11) APPLICANT NAME (if paying by credit card, enter name exactly as it appears on your card)

(12) STREET ADDRESS LINE NO. 1

(13) STREET ADDRESS LINE NO. 2

(14) CITY

(15) STATE

(16) ZIP CODE

(17) DAYTIME TELEPHONE NUMBER (include area code)

(18) COUNTRY CODE (if not in U.S.A.)

COMPLETE SECTION C FOR PAY-TV SERVICE. IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEETS (FORM 159-C)

SECTION C - PAYMENT INFORMATION

(19A) FCC CALL SIGN/OTHER ID

WBKP-TV

(20A) PAYMENT TYPE CODE (PTC)

M P T

(21A) QUANTITY

1

(22A) FEE DUE FOR (PTC) IN BLOCK 20A

\$ 725.00

FCC USE ONLY

(23A) FCC CODE 1

(24A) FCC CODE 2

(19B) FCC CALL SIGN/OTHER ID

(20B) PAYMENT TYPE CODE (PTC)

(21B) QUANTITY

(22B) FEE DUE FOR (PTC) IN BLOCK 20B

FCC USE ONLY

(23B) FCC CODE 1

(24B) FCC CODE 2

(19C) FCC CALL SIGN/OTHER ID

(20C) PAYMENT TYPE CODE (PTC)

(21C) QUANTITY

(22C) FEE DUE FOR (PTC) IN BLOCK 20C

FCC USE ONLY

(23C) FCC CODE 1

(24C) FCC CODE 2

(19D) FCC CALL SIGN/OTHER ID

(20D) PAYMENT TYPE CODE (PTC)

(21D) QUANTITY

(22D) FEE DUE FOR (PTC) IN BLOCK 20D

FCC USE ONLY

(23D) FCC CODE 1

(24D) FCC CODE 2

SECTION D - TAXPAYER INFORMATION (REQUIRED)

(25)

PAYER TIN

0 3 8 3 2 8 1 5 4 6

APPLICANT TIN

SECTION E - CERTIFICATION

(27) CERTIFICATION STATEMENT

I, Thomas Scanlan

(PRINT NAME)

Certify under penalty of perjury that the foregoing and supporting information

are true and correct to the best of my knowledge, information and belief.

SIGNATURE

SECTION F - CREDIT CARD PAYMENT INFORMATION

(28)

MASTERCARD/VISA ACCOUNT NUMBER:

MASTERCARD

4 2 7 0 8 2 0 0 0 2 0 2 3 9 8 0

EXPIRATION DATE:

0 4 0 0

MONTH YEAR

VISA

I hereby authorize the FCC to charge my VISA or MASTERCARD
for the service(s)/authorization(s) herein described.

AUTHORIZED SIGNATURE

DATE

SEE PUBLIC BURDEN ESTIMATE ON REVERSE

FCC FORM 159 JULY 1997 (REVISED)